

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT TENNESSEE
NASHVILLE DIVISION

TENNESSEE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
on behalf of itself and its
members, et al.,

Plaintiffs Civil Action No. 3:20-cv-01039
JUDGE CAMPBELL
vs. MAGISTRATE JUDGE FRENSELY

WILLIAM LEE, in his official
capacity as Governor of the
State of Tennessee, et al.,

Defendant

VIDEO RECORDED DEPOSITION OF:

MARK GOINS

Taken on behalf of the Plaintiffs

Tuesday, June 18, 2024

9:37 a.m.

BERES & ASSOCIATES COURT REPORTERS
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I N D E X

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(Original exhibits returned to Attorney Bowie.)

1 The video recorded deposition of MARK GOINS was
2 taken by counsel for the Plaintiffs pursuant to notice,
3 at the offices of Baker, Donelson, Bearman, Caldwell &
4 Berkowitz, PC, 1600 West End Avenue, Suite 2000,
5 Nashville, Tennessee, commencing at 9:37 a.m. on
6 Tuesday, June 18, 2024, for all purposes under the
7 Federal Rules of Civil Procedure.

8 The formalities as to notice, caption,
9 certificate, et cetera, are waived. It is agreed that
10 Virginia Dodge, being a licensed court reporter and
11 notary public for the State of Tennessee, may swear the
12 witness, and the reading and signing of the completed
13 deposition was not discussed.

14 * * * * * * * * *

15 THE VIDEOGRAPHER: This is the video
16 deposition taken of Mark Goins on 6/18/2024 at the time
17 indicated on the video screen, which is 9:37 a.m. Full
18 introduction has been waived.

19 Would the court reporter please swear in the
20 witness and counsel introduce themselves.

21 (Witness sworn or affirmed.)

22 ATTORNEY HAYNES: I am Keeda Haynes,
23 K-E-E-D-A H-A-Y-N-E-S, counsel for the plaintiff.

24 ATTORNEY BARKER: Zachary Barker of the
25 Tennessee Attorney General's office, counsel for the

1 I can't ask my counsel that.

2 But I believe there was some other
3 individuals that were involved in that conversation.

4 Q. Okay. And who did you speak to in your
5 office?

6 A. Beth, Andrew, Michael, Janet.

7 Q. And are all these lawyers in your office?

8 A. Yes.

9 Q. Okay. Okay. And so what was the decision
10 that your office made as to what the definition of full
11 rights of citizenship included?

12 A. Right to jury, hold public office, right to
13 vote, gun ownership and fiduciary.

14 Q. Okay. And would you say that this was a
15 significant change from the way that your office had
16 been doing things before?

17 A. Certainly it was -- yes. I mean Falls v.
18 Goins put the focus on full rights of citizenship.
19 That's something that we had not focused on before.

20 Q. So would you say that it was a significant
21 change from the way that you all had been operating
22 before?

23 A. Yes.

24 Q. Okay. And so you talked about the lawyers
25 that you talked to in preparation of the decision being

1 made, but who made the actual decision in the office
2 that those rights that you just listed wouldn't be
3 included in full rights of citizenship?

4 A. That's an interesting question. Ultimately,
5 it was me.

6 Q. Okay. You said ultimately it was you. What
7 do you mean by that?

8 A. The attorneys researched the issue
9 thoroughly.

10 Q. Okay. And did they give you their opinion,
11 or did they just, like, say, "Okay. Well, it could be
12 this, or it could be that," or --

13 ATTORNEY BARKER: Objection. Attorney-client
14 privilege.

15 I'll instruct the witness not to answer that
16 question as to any statements made by his attorneys to
17 him with regard to this.

18 Q. (By Attorney Haynes) So when exactly did
19 your office make this decision about what full rights
20 of citizenship included?

21 A. Early January.

22 Q. Do you remember exactly when in January?

23 A. I do not.

24 Q. Okay. Okay. And so when you all were making
25 this decision, was there anyone that disagreed with